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3 **UNITED STATES DISTRICT COURT**
4 **NORTHERN DISTRICT OF CALIFORNIA**
5 **SAN FRANCISCO DIVISION**

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7 IN RE: FACEBOOK, INC. CONSUMER
8 PRIVACY USER PROFILE LITIGATION,

Case No. 3:18-MD-02843-VC

9 This document relates to:

**DECLARATION OF STEVEN
WEISBROT OF ANGEION GROUP, LLC
RE: ACCESSIBILITY OF NOTICE AND
CLAIMS PROCESS**

10 ALL ACTIONS
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DECLARATION OF STEVEN WEISBROT

1 I, Steven Weisbrot, Esq., declare under penalty of perjury as follows:

2 1. I am the President and Chief Executive Officer at the class action notice and claims
3 administration firm Angeion Group, LLC (“Angeion”). I am fully familiar with the facts attested to
4 herein based upon my personal knowledge.

5 2. My credentials were previously reported to this Court in my initial declaration that was
6 filed with Plaintiffs’ Notice of Motion and Motion to Certify a Settlement Class and Grant Preliminary
7 Settlement Approval (Dkt. 1096-2) (the “Notice Plan Declaration”).

8 3. The purpose of this declaration is to provide the Parties and the Court with additional
9 information about the accessibility of the notice and claims administration process to sight-impaired
10 class members, as requested by the Court during the September 7, 2023, final approval hearing.

11 4. As reported in my Declaration of Steven Weisbrot of Angeion Group, LLC in Support
12 of Motion for Final Approval of Class Action Settlement (Dkt. 1145-2), on or about April 12, 2023,
13 Angeion established the following website devoted to this Settlement:
14 www.FacebookUserPrivacySettlement.com. The details of the forms and information that were made
15 publicly available on the Settlement Website are also reported in my prior declaration.

16 5. The Settlement Website (including the Long Form Notice, Claim Form, Opt-out Form
17 and Objection Form), was designed to meet Level AA conformance in the Web Content Accessibility
18 Guidelines (WCAG). *Id.* ¶ 32. The WCAG serves as a leading guide for building ADA accessible
19 websites. Because the Settlement Website follows these guidelines, is more accessible to a wider range
20 of people with disabilities.

21 6. Specific adherence to the WCAG guidelines included:

- 22 • Ensuring the Settlement Website has sufficient contrast to allow for individuals
23 with vision impairments to be able to easily read and understand the text;
- 24 • Designing the structure and organization of the Settlement Website to promote
25 navigation via keyboard;
- 26 • Presenting information on the Settlement Website is using titles, headings and other
27 HTML elements that conform to generally accepted standards to make the usage of
28 the website logical and intuitive; and
- Allowing text on the Settlement Website to be resized without impairing the layout
to allow for users to zoom in.

7. Through these efforts, the Settlement Website meets and exceeds the digital accessibility requirements imposed by Title I, II, & III of the Americans with Disabilities Act (ADA) and Section 504 & 508 of the Rehabilitation Act.

8. Further, though Facebook, not Angeion, implemented the in-app notice campaign to current Facebook users, it is my understanding that Facebook expends considerable effort to ensure that it is accessible by users who are sight impaired. Among other things, Facebook represents that it provides “features and technologies that help people with disabilities, such as vision loss and deafness, get the most out of Facebook.”¹ The American Foundation for the Blind maintains a webpage describing how sight-impaired people can access information on Facebook. On that page, it concludes that “the Facebook Accessibility Team has worked hard to make their web site and mobile apps accessible to all.”² Thus, I have reason to believe that the in-app notice program implemented by Facebook was also accessible to sight-impaired Facebook users.

9. Similarly, it is my understanding that many of the websites that provided earned media covering the Settlement also expend considerable effort to ensure that the stories they publish on their websites are accessible to people who are sight-impaired. To provide just a few examples, stories about the Settlement were published on the websites of NPR, The New York Times, The Washington Post, USA Today, and Yahoo! News. Dkt. 1145, Ex. I. Each of these news sites provide information about how they have made the articles they publish accessible to sight-impaired users.³ I therefore also have reason to believe that the articles posted on websites maintained by these news organizations, as well as many others, were accessible to sight-impaired people.

I hereby declare under penalty of perjury that the foregoing is true and correct.

Dated: September 12, 2023



STEVEN WEISBROT

¹ <https://www.facebook.com/help/273947702950567>.

² <https://www.afb.org/blindness-and-low-vision/using-technology/using-social-media-visual-impairment-or-blindness-0>.

³ See <https://shopnpr.org/accessibility-statement>; <https://help.nytimes.com/hc/en-us/articles/115015727108-Accessibility>; <https://www.washingtonpost.com/accessibility/>; <https://cm.usatoday.com/accessibility/>; <https://www.yahooinc.com/accessibility>.